

REMARKS

This paper responds to the Office Action dated May 27, 2003.

The Examiner (paragraph 2, page 2) makes an objection to claims 1-26 and 34-48 that "not all months are represented in the calendar as claimed." It appears to the applicant that the Examiner may be under the incorrect impression that the apparatus is meant to be a 12-month calendar. It is respectfully noted that claims 1 through 10 never mention the word "calendar," so the objection should not apply to those claims. And the other claims objected to (11-26 and 34-48) never say anything about a 12-month calendar.

The Examiner is respectfully reminded that a chief subject matter of the invention is fertility and pregnancy. As such, the context in which the apparatus is used typically calls for information about the next few months, and there is often no particular reason why a 12-month interval would be of interest.

Reconsideration is requested. It is noted that no art has been cited against claims 1-26 or 34-48 and thus it is requested that the claims be allowed.

The Examiner rejects (page 2, paragraph 4) claims 27-33, 49-78 and 113 as supposedly indefinite because of their use of the word "or." Applicant respectfully draws the Examiner's attention to section 2173.05(h)(II) of the Manual of Patent Examining Procedure, which says:

Alternative Limitations. Alternative expressions using "or" are acceptable, such as "wherein R is A, B, C, or D." The following phrases were each held to be acceptable and not in violation of 35 U.S.C. 112, second paragraph in *In re Gaubert*, 524 F.2d 1222, 187 USPQ 664 (CCPA 1975): "made entirely or in part of"; "at least one piece"; and "iron, steel or any other magnetic material."

It is requested that the Examiner reconsider this rejection. It is noted that no art has been cited

against claims 27-33, 49-78 or 113 and thus it is requested that the claims be allowed.

The Examiner states (page 4, paragraph 8) that claims 88, 86, 88, 90, 94, 111 and 112 are allowable if rewritten in independent form. This has been done in the present amendment.

Claims 79, 85, 87, 110, 115-127 have been canceled without prejudice.

The Examiner is requested to note that all claims against which any art was cited have been canceled.

Respectfully submitted,


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